

UNITED STATES DISTRICT COURT
Northern District of California
San Francisco Division

ALEX DA SILVA,

Petitioner,

v.

MARION E. SPEARMAN, Warden,

Respondent.

No. C 14-3402 LB

ORDER OF TRANSFER

[Re: ECF No. 1]

Alex Da Silva, an inmate at the Correctional Training Facility in Soledad, filed this *pro se* action for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 to challenge his conviction from the Los Angeles County Superior Court. His county of incarceration (i.e., Monterey County) is located within the venue of the Northern District of California and his county of conviction (i.e., Los Angeles County) is located within the venue of the Central District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, a petition challenging a conviction or the sentence imposed is preferably heard in the district of conviction. *See* N. D. Cal. Habeas L.R. 2254-3(b). Because the conviction occurred in the Central District of California, pursuant to 28 U.S.C. § 1406(a) and Habeas L.R. 2254-3(b), and in the interest of justice, this action is TRANSFERRED to the United States District Court for

1 the Central District of California. The clerk shall transfer this matter forthwith.

2 **IT IS SO ORDERED.**

3 Dated: July 31, 2014

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5 LAUREL BEELER
6 United States Magistrate Judge
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